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1624

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Dated: August 16, 2007

Docket No. NV2-023US
(PATENT)

AUG 16 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Malcolm Carter *et al.*

Application No. 10/528,250

Filed: June 21, 2005

Art Unit: 1624

For: BENZODIAZEPINE DERIVATIVES AND
PHARMACEUTICAL COMPOSITIONS
CONTAINING THEM

Examiner: B. Kifle

Mail Stop Amendment
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement set forth in the Office Action dated May 17, 2007, please amend the above-identified U.S. patent application as follows:

The Examiner has required restriction to one of the following inventions under 35 U.S.C. 121 and 372:

Group I: Claims 1-26, drawn to a method of treating a patient suffering from or susceptible to an RSV infection, which method comprises administering to said patient a compound of formula (I) or a compound of formula (I) together with an additional agent.

Group II: Claim 31, drawn to a nebuliser.

Group III: Claims 32 and 33, drawn to a product and a method of using the product.

Group IV: Claim 34, drawn to a method of treating a patient suffering from or susceptible to human metapneumovirus, measles, parainfluenza viruses, mumps, yellow fever virus (B5 strain), Dengue 2 virus or West Nile virus, which method comprises administering to said patient a compound a formula (I).

Group V: Claims 35-41 (and maybe claims 43-45 which are improperly dependent on Claim 31), drawn to compounds of formula (Ib) and corresponding compositions.

Applicants hereby elect the Group V invention, claims 35-41 (and maybe claims 43-45) for prosecution in this application, *without traverse*.

Applicant reserves the right to traverse the restriction between the aforementioned groups in this or a continuing application. Applicant further reserves the right to pursue the non-elected groups in one or more divisional applications.

An extension of time and appropriate fee is being filed herewith. If any additional fees are due, please charge our Deposit Account No. 12-0080, under Order No. NV2-023US, from which the undersigned is authorized to draw.

If a telephone conversation with Applicant's agent would help expedite the prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 227-7400.

Dated: August 16, 2007

Respectfully submitted,

By 

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